



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

May 9, 2022

S. K. (Tim) Theodorakis
Regulatory Agent for Arkion Life Sciences
Wagner Regulatory Associates, Inc.
7217 Lancaster Pike, Suite A
Hockessin, DE 19707

Subject: Registration Review Label Amendment—Deletion of Uses per Arkion’s Letter dated April 5, 2022 to Voluntarily Cancel Use Sites: municipal sites, urban areas, sports fields, park grounds, residential buildings/home lawns and golf courses. Additional changes to respirator language, formatting, and section order.
Product Name: AV-5055
EPA Registration Number: 69969-7
Application Date: April 4, 2022
Decision Number: 583128

Dear Mr. Theodorakis:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. As discussed in the April 26, 2022 email you may distribute or sell this product under the previously approved labeling until the next label printing but no longer than for 9 months from the date of this letter. After the next label printing or 9 months from the date of this letter, whichever is sooner, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. .

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false

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EPA Reg. No. 69969-7
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or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6.

If you have any questions about this letter, please contact Rachel Fletcher via email at fletcher.rachel@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Cathryn Britton". The signature is written in a cursive style with a large initial "C".

Cathryn Britton
Chief
202.566.2339
U.S. EPA/OPP/PRD/RMIB 5

Enclosure: Stamped Label

{MASTER LABEL includes:
Sub-label 1: Language specific for geese repellent use
Sub-label 2: Language specific for rice seed treatment use}

AV-5055

[ABNs: Flight Control® Max and AV-1011® Liquid Rice Seed Treatment]

ACTIVE INGREDIENT:

9,10 anthraquinone*..... 18.6%

OTHER INGREDIENTS:..... 81.4%

TOTAL:.....100.0%

*Contains 2.06 pounds of active ingredient per gallon.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If in Eyes:	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a Poison Control Center or Doctor for treatment advice.
If Inhaled:	<ul style="list-style-type: none"> Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a Poison Control Center or Doctor for further treatment advice.
If on Skin or Clothing:	<ul style="list-style-type: none"> Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a Poison Control Center or Doctor for treatment advice.
If Swallowed:	<ul style="list-style-type: none"> Call Poison Control Center or Doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.
<p>FOR MEDICAL EMERGENCIES INVOLVING THIS PRODUCT, CALL TOLL FREE: 800-535-5053. HAVE THE PRODUCT CONTAINER OR LABEL AVAILABLE WHEN SEEKING TREATMENT ADVICE.</p>	

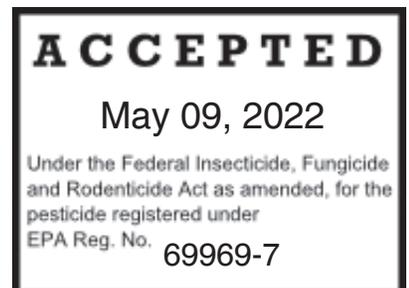
{Optional referral statements when booklets and container labels are used:}
[See [side/back panel] [label booklet] for [complete] [additional] [First Aid,] [Precautionary Statements], [Directions For Use], and [Storage and Disposal].]
[Refer to the complete package [insert][foldout] for the Directions For Use.]

**MANUFACTURED IN THE USA* FOR
ARKION LIFE SCIENCES, LLC
551 Mews Drive Suite J New Castle DE 19720
Toll Free Phone Number:**

[Flight Control® Max] [877-554-3373] {or} [AV-1011® Liquid Rice Seed Treatment] [800-468-6324]
*with foreign and domestic sourced materials.

EPA Reg. No. 69969-7
EPA Est. No. _____

NET CONTENTS: [1 quart, 1 gallon, 2.5 gallons, 250 gallon tote, 275 gallon totes]
[LOT NO. _____]



{Sub-label 1: Language specific for geese repellent use}

[FOR NUISANCE GEESE REPELLENCY]

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{Optional referral statements when booklets and container labels are used:}

[See [side/back panel] [label booklet] for [complete] [additional] [First Aid,] [Precautionary Statements], [Directions For Use], and [Storage and Disposal].]

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Toll Free Phone Number:

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EPA Reg. No. 69969-7**EPA Est. No. _____****NET CONTENTS:** [1 quart, 1 gallon, 2.5 gallons, 250 gallon tote, 275 gallon totes]**[LOT NO. _____]**

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes moderate eye irritation. Harmful if swallowed. Harmful if inhaled or absorbed through the skin. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Wear long-sleeved shirt and long pants, socks, and shoes. Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT

Handlers must use the following PPE:

- Long-sleeved shirt and pants
- Shoes and socks
- Chemical resistant gloves (barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride (PVC) ≥ 14 mils, or viton ≥ 14 mils)
- Protective goggles
- At a minimum a NIOSH-approved particulate filtering facepiece respirator with any N, R or P filter, with NIOSH approval number prefix TC-84A; or a NIOSH-approved powered air purifying respirator with HE filter, with NIOSH approval number prefix TC-21C.

USER SAFETY RECOMMENDATIONS

User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling the product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

DO NOT discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. **DO NOT** discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA. **DO NOT** contaminate water by cleaning of equipment or disposal of waste. Apply this product only as specified on this label.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

AV-5055 contains an active ingredient that has deterrent properties and has been developed for use to help repel nuisance geese at sites where geese have become a safety or health problem. **AV-5055** is mixed with water according to the approved label use rates and then applied to turf grass areas where droppings from geese are observed.

This product may only be used to repel geese in turf areas at following sites:

- areas adjacent to or on airport property
- commercial sites (property around offices, hospitals, retail stores and restaurants)
- industrial sites (property around manufacturing facilities, power plants, food/feed processing facilities, and waste or water treatment plants)
- cemeteries
- landfills and managed waste dumpsites

USE RESTRICTIONS:

- This product may only be used to repel nuisance geese, including Canada geese, only at the above listed sites.
- **DO NOT** use on residential turf.
- **DO NOT** apply more than 7 times per year to the same area.
- **DO NOT** apply when surface to be treated is wet or when rain is expected.
- **DO NOT** apply this product in a way that will contact workers or other persons, either directly or through drift.
- **DO NOT** allow people or pets to enter treated area until product has dried.
- **DO NOT** apply to sidewalks, parking lots, patios, etc.

USE PRECAUTIONS:

- To prevent contamination of the dilute solution of **AV-5055** by other chemical residues, be sure that the equipment is thoroughly clean before use or use dedicated equipment.
- Apply this product using properly calibrated and maintained spray equipment.
- For best results, product must thoroughly dry on treated turf grass surface.
- Mowing treated areas will remove product and reduce product effectiveness.
- Product may separate if allowed to sit. Resuspend with agitation. Keep from freezing.

APPLICATION DIRECTIONS:

When geese have begun to flock in one area and are problematic (i.e., where droppings are found), apply AV-5055 according to the following rates to turf only at the above listed sites where geese are expected to feed/roost. Level of observed goose droppings will help define the extent and scale of the problem.

Mixing Directions:

Thoroughly shake or stir container of **AV-5055** prior to diluting with water.

Use Rates for Areas to be Treated:

- For areas to be treated of less than one acre, apply ½ quart (16 fl. oz.) of product with 1.5 to 5 gallons of water per ¼ acre.
- For areas to be treated of greater than one acre, apply ½ gallon (64 fl. oz.) of product with 6 to 20 gallons of water per acre.
- Subsequent applications may be made at 14 – 21 day intervals or as required by geese activity and anticipated seasonal migrations.
- Mix with water based on application equipment specifications and instructions.
- Apply using a fine spray pattern to evenly distribute over entire turf grass surface to be treated.
- After an application is made, cutting of the treated turf grass will reduce amount of repellent available.

APPLICATION TECHNIQUES AND BEST PRACTICES

Areas treated with **AV-5055** goose repellent denies geese a place to feed and provides a foundation on which to build an integrated program for nuisance geese management.

Application Rates:

Apply at the rate of ½ gallon per acre (½ quart per ¼ acre) of turf grass. For additional information, call 1-877-554-3373.

Water:

To be most effective, **AV-5055** must be applied to, and stay on, the leafy surfaces. Therefore, spray runoff must be avoided. To avoid runoff and maximize effectiveness, it is recommended that 6-20 gallons of tank mix be applied per acre of turf grass. Amounts of water in the tank mix will vary depending on the type of equipment used. **DO NOT** exceed 20 gallons/acre. For more information, see the **Spray Volume Rate** section.

Application Solution Additive:

The **AV-5055** formulation contains a sticking adjuvant. No additional sticker is needed for normal conditions. Additional sticker should be used for the final late fall application and this will allow the treatment to remain on dormant grass through the winter. The sticker can be a clear, non-ionic polymer-based anti-transpirant such as Transfilm[®], Vapor Gard[®] or Wilt-Pruf[®] and should be used at a 0.25 to 0.50% v:v (volume anti-transpirant : volume **AV-5055** spray mixture). Example: 1 gallon of **AV-5055** with 19 gallons = 20 gallons of tank mix. If you use a 0.5% sticker ratio, you would need 20 gallons mix x 0.005 = 0.1 gallon of sticker (13 oz. of sticker).

Application Guidelines:

Apply using a fine droplet spray. Any application equipment that can deliver a fine droplet will be acceptable. The object is to coat (mist) the surface of the turf grass with **AV-5055** treatment solution. The best way to describe this would be as if

you were “spray painting” the turf. On newly seeded areas use a fine mist so that the young plants and roots will not be disturbed.

- Apply with a properly calibrated sprayer.
- Keep tank mix thoroughly agitated.
- Apply to **dry turf** only.
- Avoid dragging hoses over the treated areas.

Thoroughly clean all application equipment as soon as possible after application is completed. **DO NOT** allow tank mix to settle or remain unagitated for more than 2-3 hours.

EQUIPMENT FOR APPLYING AV-5055:

On the website www.FC-EquipmenTechniques.com which will help you choose the proper equipment for applying this product and the settings for the different equipment. If after you view this video you still have questions, please call 877-554-3373.

When and Where to Apply:

Apply when geese have begun to flock in one area and are problematic. **AV-5055** can be applied anytime during the year when temperatures are above freezing. When starting a nuisance goose management program, make the application to the “drop zone” and wherever nuisance geese are persistent. The “drop zones” are those areas where the nuisance geese droppings are observed.

AV-5055 can be started at any time during the year. For best results here is a typical suggested **AV-5055** application program for “Northern States” with an eight month growing season:

- Early Spring February-March
- Spring March-April
- Late Spring May-June
- Summer July-August
- Early Fall September-October
- Late Fall November
- “Southern States” add December-January

Note:

Each time the turf is mowed some of the treated leaf surface is removed. An application of **AV-5055** will last between 2 – 3 mowing’s during seasons of actively growing turf.

Frequency of application diminishes as the geese are conditioned to **AV-5055**. Apply only to turf grass areas where geese droppings are visible. The geese will naturally leave these areas when their food source is denied by applications of **AV-5055** to the adjacent turf grass areas.

Expectations:

AV-5055 teaches the geese to avoid the treated area by denying them a place to feed. This “educational process” for the geese can take several days. For the first 1 to 3 days following application the nuisance geese **may** remain on or near the treated area. This is normal, because the geese need time to experience and learn from the **AV-5055** application.

After 3 days, the number of nuisance geese should be significantly reduced, by at least 80%. Some nuisance geese tend to be more persistent and may resist “moving on.” Subsequent applications of **AV-5055** will rid the site of these persistent nuisance geese.

During nesting season (March – June) you will be able to only control where on the site they will feed. Before young geese are capable of flying, it may not be possible to repel them completely from the site. While the young geese are unable to leave, “tolerance zones” may be established. These “tolerance zones” will give the young geese a place to move to and keep them off the desired geese-free areas.

Application Technique Practice:

AV-5055 is a foliar turf grass application made to repel nuisance geese. **AV-5055 MUST** be applied properly to the turf grass leaf blade to assure its effectiveness in repelling nuisance Canada geese. A proper application will evenly distribute a medium-fine to fine droplet to adhere to the turf grass leaf blade and when the nuisance geese forage, they will ingest it.

Product not applied properly (i.e., with a coarse droplet) will be washed to the soil and therefore not available to the foraging nuisance geese.

Additional Application Guidance:

- Mow turf and rake leaves, grass clippings or other debris prior to application.
- Avoid applications prior to irrigation cycle. Product requires up to 4 hours to dry on turf grass leaf blade.
- Avoid applications in windy conditions.
- Apply when area to be treated is dry and rain is not expected.
- Follow labeled use rates and application equipment instructions.
- Clean out spray equipment after application.

SPECIFIC APPLICATION EQUIPMENT

AV-5055 Applications Using A Pump-Driven Sprayer:

Use Rate:

Apply **AV-5055** at a rate of ½ gallon of product per treated acre (½ quart per ¼ acre) for repeat applications after the nuisance geese have been conditioned to avoid the treated areas.

Spray Volume Rate:

AV-5055 spray mixture is recommended at 1 gallon of mixture per 2,000 ft.². This would be equivalent to a square area approximately 45 feet long and wide. **This also equates to 20 gallons of mixture per acre (GPA).** With the proper calibration and application technique, a spray volume rate (6 to 20 GPA) can be used to effectively apply **AV-5055**. Always maintain proper mixture agitation or recirculation during spraying. Failure to do so will result in a decrease in the active ingredient (AI) applied and reduced efficacy (reason – AI is heavier than water and will sink if not agitated or recirculated).

Boom-Type Sprayer:

A boom sprayer is an excellent option because they provide very uniform spray coverage. Spray nozzle selection will determine spray volume and spray mist size.

Gun Sprayer: A JD9 or Lesco Mag1 spray gun is appropriate for proper application. Both should be calibrated to deliver a medium-fine to fine mist at the desired spray volume rate. Apply to small area and check to be sure medium-fine to fine sized tan-colored droplets are visible on turf grass blade before continuing application. **NOTE: The Lesco Gun and the Chemlawn Gun are not recommended.**

AV-5055 Application Using a Backpack or Compressed Air Sprayer:

When small or hard to reach areas will not allow larger scale applications, a smaller backpack or compressed air sprayer may be used. Follow the instructions stated previously with the following considerations or adjustments.

SPRAY NOZZLE TYPES

NOZZLE SELECTION	RATING
TeeJet Nozzles equipped to apply medium-fine to fine spray droplet	Acceptable
Single Fan Nozzles such as XR TeeJet (XR8001, XR11001, & XR110015)	Adequate
TwinJet Nozzle: TJ60-8001	They apply two flat fan spray patterns 60° apart, providing dual coverage to both sides of the turf grass leaf blade. Apply to small area and check to be sure medium-fine to fine sized tan-colored droplets are visible on turf grass blade before continuing application.

Follow these label use directions to help repel nuisance Canada geese from your turf grass area. If you have any Questions, call 877-554-3373.

STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage, disposal, or cleaning of equipment.

Storage: Store in a sheltered location away from food or feed. **DO NOT** allow containers to freeze. After prolonged storage, product may separate. If this occurs, resuspend with agitation.

Handle and open container in a manner as to prevent spillage. If container is leaking, invert to prevent leakage. If container is leaking or if material is spilled for any reason or cause, carefully contain any spilled material to prevent non-target contamination. **DO NOT** walk through spilled material and dispose of as directed for pesticides below. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides above. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away. You may contact Infotrac for decontamination procedures or any other assistance that may be necessary. Infotrac's Telephone No. is 1-800-535-5053.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instruction, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance. ARKION LIFE SCIENCES, LLC also can be contacted for guidance on the disposal of pesticide wastes.

Container Handling:

[Nonrefillable container (equal to or less than 5 gallons): DO NOT reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple Rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container $\frac{1}{4}$ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.]

[Nonrefillable container (greater than 5 gallons): DO NOT reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in the container. Contact your state regulatory agency to determine allowable practices in your state. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Triple Rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container $\frac{1}{4}$ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or a mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.]

CONSULT FEDERAL, STATE OR LOCAL DISPOSAL AUTHORITIES FOR APPROVED ALTERNATIVE PROCEDURES.

Contain and collect spilled product immediately.

CONDITIONS OF SALE AND WARRANTY: Arkion Life Sciences, LLC, warrants that the product conforms to its chemical description and is reasonably fit for the purpose stated on the label only when used in accordance with label directions under normal conditions of use. Since timing, method of application, weather and ground conditions, mixture with other chemicals, and other factors affecting the use of this product are beyond our control, no warranty is given concerning the use of this product contrary to label directions, or under conditions which are abnormal or not reasonably foreseeable.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, **ARKION LIFE SCIENCES, LLC** MAKES NO OTHER WARRANTIES EITHER EXPRESS OR IMPLIED WARRANTIES INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE.

Handling, storage and use of the product by Buyer or User are beyond the control of Arkion Life Sciences, LLC and Seller. Risks such as ineffectiveness or use of other directions will be assumed by the Buyer or User.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE WILL ARKION LIFE SCIENCES, LLC OR SELLER BE HELD LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE HANDLING, STORAGE OR USE OF THIS PRODUCT, NOR HELD RESPONSIBLE FOR INJURY OR LOSS AS A RESULT OF THE HANDLING OR USE OF THIS PRODUCT.

[Notice: Read the entire label before using. Use only according to label directions.]

[Before buying or using the product read “Conditions of Sale and Warranty” on label.]

[Flight Control[®], Stop The Drop![®], and Providing Tomorrow’s Innovative Solutions Today[®] are registered trademarks of Arkion[®] Life Sciences, LLC.]

[Providing Tomorrow’s Innovative Solutions Today[®]]

[Flight Control[®], Stop the Drop[®], and Arkion[®] are registered trademarks of Arkion[®] Life Sciences, LLC.]

{APPENDIX SUB-LABEL 1: MARKETING CLAIMS - Advertising claims and marketing phrases that may be presented on promotional materials and the container labels.}

{Logo & optional market claims}



- [THE REPELLENT SOLUTION FOR MOVING UNWANTED GEESE]
- [LIQUID GOOSE REPELLENT]
- [GOOSE REPELLENT]

{STOP THE DROP with logo:}



- [PROVIDING TOMORROW'S INNOVATIVE SOLUTIONS TODAY®]
- [Information on two page marketing piece is below.]

{Sub-label 2: Language specific for rice seed treatment use}

[FOR THE PROTECTION OF RICE SEED AGAINST CONSUMPTION BY BLACKBIRDS]

AV-5055**[ABN: AV-1011[®] Liquid Rice Seed Treatment]****ACTIVE INGREDIENT:**

9,10 anthraquinone* 18.6%

OTHER INGREDIENTS: 81.4%**TOTAL:** **100.0%**

*Contains 2.06 pounds of active ingredient per gallon.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

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FOR MEDICAL EMERGENCIES INVOLVING THIS PRODUCT, CALL TOLL FREE: 800-535-5053 . HAVE THE PRODUCT CONTAINER OR LABEL AVAILABLE WHEN SEEKING TREATMENT ADVICE.	

{Optional referral statements when booklets and container labels are used:}

[See [side/back panel] [label booklet] for [complete] [additional] [First Aid,] [Precautionary Statements], [Directions For Use], and [Storage and Disposal].]

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Toll Free Phone Number:

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HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

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PERSONAL PROTECTIVE EQUIPMENT

Handlers and/or applicators must use the following PPE:

- Long-sleeved shirt and pants
- Shoes and socks
- Chemical resistant gloves (barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride (PVC) ≥ 14 mils, or viton ≥ 14 mils)
- Protective goggles
- NIOSH-approved particulate respirator with any N, R or P filter, with NIOSH approval number prefix TC-84A; or a NIOSH-approved powered respirator with HE filter, with NIOSH approval number prefix TC-21C.

USER SAFETY RECOMMENDATIONS

User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling the product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

DO NOT discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. **DO NOT** discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA. **DO NOT** contaminate water by cleaning of equipment or disposal of waste. Apply this product only as specified on this label.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Reformulation or repackaging of this product is prohibited. **DO NOT** apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

DO NOT enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 4 hours. "Exception: If the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated areas if there will be no contact with anything that has been treated."

PPE required for early entry to treated areas that is permitted under the Worker Production Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Waterproof chemical-resistant gloves (barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride (PVC) ≥ 14 mils, viton ≥ 14 mils)
- Shoes plus socks
- Protective eyewear

PRODUCT INFORMATION

AV-5055 may be applied to rice seed including conventional and hybrid seed varieties for use in drilled, water seeded or broadcast applications. When applied properly **AV-5055** forms a bird repellent coating on rice seed. Birds may sample treated seeds but they will avoid additional consumption. **Thorough, uniform, and consistent coverage** is essential for full protection from bird depredation.

USE RESTRICTIONS:

- Use this product only in commercial seed treatment equipment.
- **DO NOT** allow children, pets, or livestock to have access to treated seed.
- Treated seed must not be used for or mixed with food or animal feed, or processed for other uses.
- Wear long-sleeved shirt, long pants, and chemical-resistant gloves when handling treated seed.
- Prolonged or frequently repeated skin contact may cause an allergic reaction in some individuals.
- **DO NOT** apply more than 0.44 lb. anthraquinone per acre (199 g a.i./A) per year as a seed treatment application.
- For rice (based upon an average seed weight of 15,600 seeds/lb.): This seed has been treated with 0.085 mg anthraquinone/seed.
- A maximum of one (1) application may be made per acre per season.
- Once the rice fields have been water-seeded with AQ-treated seeds, **DO NOT** allow workers to enter the rice paddy for 48 hours. After the REI has expired, workers must, at a minimum, wear knee-high water-resistant boots in order to enter the paddy.
- **DO NOT** drain water from AQ-treated rice fields to irrigate other crops, use for livestock or discharge into potable water sources.
- **DO NOT** contaminate water bodies when disposing of planting equipment wash waters.

USE PRECAUTIONS:

- Use only at the labeled rate. Lower amounts may not give desired control.
- Store treated seed away from feed and foodstuffs.
- Dispose of all excess treated seed. Leftover treated seed may be double sown around the headland or buried away from water sources in accordance with local requirements.
- Dispose of seed packaging in accordance with local requirements.

PRODUCT APPLICATION INFORMATION

RATE: Apply AV-5055 as a water-based slurry alone, or with other compatible seed treatment materials, or sequentially with other registered, crop protection products. Apply water-based slurry through a standard slurry, mist-type or batch commercial treater. Prior to mixing, potential tank mix partners which include pesticides, colorants, dyes and polymers must be tested for physical compatibility with **AV-5055**.

Application rate is 18.3 fluid ounces (1.6 pounds) of **AV-5055** per 100 pounds of rough rice seed. For application rate ranges, refer to the **AV-5055** application rate table.

AV-5055 Application Rate Table

Pounds of Rough Rice Seed	Fluid Ounces (Pounds) AV-5055	Gallons AV-5055
100	18.3 (1.6)	0.14
200	36.6 (3.2)	0.28
300	54.9 (4.8)	0.43
400	73.2 (6.4)	0.57
500	91.5 (8.0)	0.71
700	128.0 (11.1)	1.00
1000	183.0 (16.0)	1.43

MIXING INSTRUCTIONS:

1. Application equipment must be clean and free of previously used pesticide residues before applying **AV-5055**.
2. Shake **AV-5055** well or agitate prior to use.
3. Mixing **AV-5055** or **AV-5055** with tank - mix partners: add ½ of the required water and add **AV-5055** or **AV-5055** and tank mix - partners to the mix tank. Start and maintain constant mechanical and by pass agitation throughout the entire mixing and treating process.

4. Accurate calibration of the application equipment and frequent checks of this calibration is recommended to ensure proper seed coverage.
5. Uniform coating of the seed is necessary to ensure proper efficacy.
6. Depending on the type of seed treating equipment a small amount of water can be added to the product to facilitate product flow through the spray nozzles. **DO NOT** exceed five (5) fluid ounces of water per one gallon of AV-5055.
7. Environmental conditions such as temperature and humidity could have an effect on handling and during the drying of seed just after treatment.

Failure to follow the directions for use and precautions on this label may result in crop injury, or illegal residues.

Treatment of highly mechanically damaged seed, or seed of known low vigor and poor quality, may result in reduced germination and / or reduction of seed and seedling vigor. Treat and conduct germination test on a small portion of seed before committing the total seed lot to a select chemical treatment. Due to seed quality conditions beyond the control of Arkion Life Sciences, LLC, no claims are made to guarantee germination of carry over seed.

After treatment, seed must be dry before storage or rebagging.

SEED CONTAINER LABEL REQUIREMENTS

The Federal Seed Act requires that containers of treated seeds must be labeled with the following statements:

- This seed has been treated with 9-10, anthraquinone bird repellent.
- **DO NOT** use for feed, food, or oil purposes.
- User is responsible for ensuring that the seed bag meets all requirements under the Federal Seed Act.

In addition, the following statements are required on containers of seeds treated with AV-5055

- **DO NOT** allow children, pets, or livestock to have access to treated seed.
- Treated seed must not be used for or mixed with food or animal feed, or processed for other uses.
- Store treated seed away from feed and foodstuffs.
- Wear long-sleeved shirt, long pants, and chemical resistant gloves when handling treated seed.
- Prolonged or frequently repeated skin contact may cause an allergic reaction in some individuals.
- **DO NOT** apply more than 0.44 lb. anthraquinone per acre (199 g a.i./A) per year as a seed treatment application.
- For rice (based upon an average seed weight of 15,600 seeds/lb.): This seed has been treated with 0.085 mg anthraquinone/seed.
- A maximum of one (1) application may be made per acre per season.
- Once the rice fields have been water-seeded with AQ-treated seeds, **DO NOT** allow workers to enter the rice paddy for 48 hours. After the REI has expired, workers must, at a minimum, wear knee-high water-resistant boots in order to enter the paddy.
- **DO NOT** drain water from AQ-treated rice fields to irrigate other crops, use for livestock or discharge into potable water sources.
- Dispose of all excess treated seed. Leftover treated seed may be double sown around the headland or buried away from water sources in accordance with local requirements.
- **DO NOT** contaminate water bodies when disposing of planting equipment wash waters.
- Dispose of seed packaging in accordance with local requirements.

STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage, disposal, or cleaning of equipment.

Storage: Store in a sheltered location away from food or feed. **DO NOT** allow containers to freeze. After prolonged storage, product may separate. If this occurs, resuspend with agitation.

Handle and open container in a manner as to prevent spillage. If container is leaking, invert to prevent leakage. If container is leaking or if material is spilled for any reason or cause, carefully contain any spilled material to prevent non-target contamination. **DO NOT** walk through spilled material and dispose of as directed for pesticides below. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides above. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away. You may contact Infotrac for decontamination procedures or any other assistance that may be necessary. Infotrac's Telephone No. is 1-800-535-5053.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instruction, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance. ARKION LIFE SCIENCES, LLC also can be contacted for guidance on the disposal of pesticide wastes.

Container Handling:

[Nonrefillable container (equal to or less than 5 gallons): DO NOT reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple Rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.]

[Nonrefillable container (greater than 5 gallons): DO NOT reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in the container. Contact your state regulatory agency to determine allowable practices in your state. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Triple Rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or a mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.]

CONSULT FEDERAL, STATE OR LOCAL DISPOSAL AUTHORITIES FOR APPROVED ALTERNATIVE PROCEDURES.

Contain and collect spilled product immediately.

CONDITIONS OF SALE AND WARRANTY: Arkion Life Sciences, LLC, warrants that the product conforms to its chemical description and is reasonably fit for the purpose stated on the label only when used in accordance with label directions under normal conditions of use. Since timing, method of application, weather and ground conditions, mixture with other chemicals, and other factors affecting the use of this product are beyond our control, no warranty is given concerning the use of this product contrary to label directions, or under conditions which are abnormal or not reasonably foreseeable.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARKION LIFE SCIENCES, LLC MAKES NO OTHER WARRANTIES EITHER EXPRESS OR IMPLIED WARRANTIES INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE.

Handling, storage and use of the product by Buyer or User are beyond the control of Arkion Life Sciences, LLC and Seller. Risks such as ineffectiveness or use of other directions will be assumed by the Buyer or User.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE WILL ARKION LIFE SCIENCES, LLC OR SELLER BE HELD LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE HANDLING, STORAGE OR USE OF THIS PRODUCT, NOR HELD RESPONSIBLE FOR INJURY OR LOSS AS A RESULT OF THE HANDLING OR USE OF THIS PRODUCT.

[Notice: Read the entire label before using. Use only according to label directions.]
[Before buying or using the product read “Conditions of Sale and Warranty” on label.]

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